United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., PCS)

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
1 N	WAW0005523	110202	=	J	3

Remarks

21 66

Inspection Work Days	Facility Self-Monitoring Evaluation Rating	BI	QA	Reserved
67 20 69	70	71	72	73 74 / 75 80

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*

Mapleville Dairy Inc.
3992 Bowen Road
Sumas, WA 98295

Entry Time/Date	Permit Effective Date
2/2/11 1:10 pm	unpermitted
Exit Time/Date	**Permit Expiration Date**
2/2/11 2:45 pm	

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)

Dale and John DeVries, Owners/Operators
(b) (6)
(b) (6)
(b) (6)

Other Facility Data *(e.g., SIC NAICS, and other descriptive information)*

unpermitted

SIC 0241

NAICS 112120

Name, Address of Responsible Official/Title/Phone and Fax Number

Dale and John DeVries, Owners/Operators
3992 Bowen Road
Sumas, WA 98295
(b) (6)

Contacted ☑ Yes ☐ No

RECEIVED
FEB 23 2011
U.S. EPA REGION 10
OFFICE OF COMPLIANCE AND ENFORCEMENT

Section C: Areas Evaluated During Inspection *(Check only those areas evaluated)*

☐	Permit	☐	Self-Monitoring Program	☐	Pretreatment	☐	MS4
☐	**Records/Reports**	☐	Compliance Schedules	☐	Pollution Prevention		
☑	Facility Site Review	☐	Laboratory	☐	Storm Water		
☑	Effluent/Receiving Waters	☑	Operations & Maintenance	☐	Combined Sewer Overflow		
☐	Flow Measurement	☐	Sludge Handling/Disposal	☐	Sanitary Sewer Overflow		

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes SEV Description

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Phone and Fax Numbers	Date
Kristin McNeill	EPA/OCE (206) 553-6291	2/17/11
Joseph Roberto	EPA/OCE (206) 553-1669	
Signature of Management Q A Reviewer	Agency/Office/Phone and Fax Numbers	Date
	EPA/OCE/(206) 553-5317	2/24/11

EPA Form 3560-3 (Rev 1-06) Previous editions are obsolete.

NPDES WAU000523

PCS 2-23-2011 JJBrown

INSTRUCTIONS

Section A: National Data System Coding *(i.e., PCS)*

Column 1: Transaction Code: Use N, C, or D for New, Change, or Delete. All inspections will be *new* unless there is an error in the data entered.

Columns 3-11: NPDES Permit No. Enter the facility's NPDES permit number - third character in permit number indicates permit type for U=unpermitted, G=general permit, etc.. *(Use the Remarks columns to record the State permit number, if necessary.)*

Columns 12-17: Inspection Date. Insert the date entry was made into the facility. Use the year/month/day format (e.g., 04/10/01 = October 01, 2004).

Column 18: Inspection Type*. Use one of the codes listed below to describe the type of inspection:

- A Performance Audit
- B Compliance Biomonitoring
- C Compliance Evaluation (non-sampling)
- D Diagnostic
- F Pretreatment (Follow-up)
- G Pretreatment (Audit)
- I Industrial User (IU) Inspection
- J Complaints
- M Multimedia
- N Spill
- O Compliance Evaluation (Oversight)
- P Pretreatment Compliance Inspection
- R Reconnaissance
- S Compliance Sampling
- U IU Inspection with Pretreatment Audit
- X Toxics Inspection
- Z Sludge - Biosolids
- # Combined Sewer Overflow-Sampling
- $ Combined Sewer Overflow-Non-Sampling
- + Sanitary Sewer Overflow-Sampling
- & Sanitary Sewer Overflow-Non-Sampling
- \ CAFO-Sampling
- = CAFO-Non-Sampling
- 2 IU Sampling Inspection
- 3 IU Non-Sampling Inspection
- 4 IU Toxics Inspection
- 5 IU Sampling Inspection with Pretreatment
- 6 IU Non-Sampling Inspection with Pretreatment
- 7 IU Toxics with Pretreatment
- ! Pretreatment Compliance (Oversight)
- @ Follow-up (enforcement)
- { Storm Water-Construction-Sampling
- } Storm Water-Construction-Non-Sampling
- : Storm Water-Non-Construction-Sampling
- ~ Storm Water-Non-Construction-Non-Sampling
- < Storm Water-MS4-Sampling
- - Storm Water-MS4-Non-Sampling
- > Storm Water-MS4-Audit

Column 19: Inspector Code. Use one of the codes listed below to describe the *lead agency* in the inspection.

- A — State (Contractor)
- B — EPA (Contractor)
- E — Corps of Engineers
- J — Joint EPA/State Inspectors—EPA Lead
- L — Local Health Department (State)
- N — NEIC Inspectors
- O — Other Inspectors, Federal/EPA (Specify in Remarks columns)
- P — Other Inspectors, State (Specify in Remarks columns)
- R — EPA Regional Inspector
- S — State Inspector
- T — Joint State/EPA Inspectors—State lead

Column 20: Facility Type. Use one of the codes below to describe the facility.

- 1 — Municipal. Publicly Owned Treatment Works (POTWs) with 1987 Standard Industrial Code (SIC) 4952.
- 2 — Industrial. Other than municipal, agricultural, and Federal facilities.
- 3 — Agricultural. Facilities classified with 1987 SIC 0111 to 0971.
- 4 — Federal. Facilities identified as Federal by the EPA Regional Office.
- 5 — Oil & Gas. Facilities classified with 1987 SIC 1311 to 1389.

Columns 21-66: Remarks. These columns are reserved for remarks at the discretion of the Region.

Columns 67-69: Inspection Work Days. Estimate the total work effort (to the nearest 0.1 work day), up to 99.9 days, that were used to complete the inspection and submit a QA reviewed report of findings. This estimate includes the accumulative effort of all participating inspectors; any effort for laboratory analyses, testing, and remote sensing; and the billed payroll time for travel and pre and post inspection preparation. This estimate does not require detailed documentation.

Column 70: Facility Evaluation Rating. Use information gathered during the inspection (regardless of inspection type) to evaluate the quality of the facility self-monitoring program. Grade the program using a scale of 1 to 5 with a score of 5 being used for very reliable self-monitoring programs, 3 being satisfactory, and 1 being used for very unreliable programs.

Column 71: Biomonitoring Information. Enter D for static testing. Enter F for flow through testing. Enter N for no biomonitoring.

Column 72: Quality Assurance Data Inspection. Enter Q if the inspection was conducted as followup on quality assurance sample results. Enter N otherwise.

Columns 73-80: These columns are reserved for regionally defined information.

Section B: Facility Data

This section is self-explanatory except for "Other Facility Data," which may include new information not in the permit or PCS (e.g., new outfalls, names of receiving waters, new ownership, other updates to the record, SIC/NAICS Codes, Latitude/Longitude).

Section C: Areas Evaluated During Inspection

Check only those areas evaluated by marking the appropriate box. Use Section D and additional sheets as necessary. Support the findings, as necessary, in a brief narrative report. Use the headings given on the report form (e.g., Permit, Records/Reports) when discussing the areas evaluated during the inspection.

Section D: Summary of Findings/Comments

Briefly summarize the inspection findings. This summary should abstract the pertinent inspection findings, not replace the narrative report. Reference a list of attachments, such as completed checklists taken from the NPDES Compliance Inspection Manuals and pretreatment guidance documents, including effluent data when sampling has been done. Use extra sheets as necessary.

*Footnote: In addition to the inspection types listed above under column 18, a state may continue to use the following wet weather and CAFO inspection types until the state is brought into ICIS-NPDES: K: CAFO, V: SSO, Y: CSO, W: Storm Water 9: MS4. States may also use the new wet weather, CAFO and MS4 inspections types shown in column 18 of this form. The EPA regions are required to use the new wet weather, CAFO, and MS4 inspection types for inspections with an inspection date (DTIN) on or after July 1, 2005.

NPDES
Compliance Inspection Report

Mapleville Dairy Inc.

Sumas, Washington

February 2, 2011

Prepared by:
Kristin McNeill
Environmental Scientist
U. S. Environmental Protection Agency, Region 10
Office of Compliance and Enforcement
Inspection and Enforcement Management Unit

Table of Contents

Unless otherwise noted, all details in this inspection report were obtained from conversations with Dale and John DeVries or from observations during the inspection.

I. Facility Information

Facility Name:	Mapleville Dairy Inc.
Facility Type:	Dairy (SIC 0241, NAICS 112120)
Facility Contacts:	Dale DeVries, owner and operator John DeVries, owner and operator
Facility Address:	3992 Bowen Road Sumas, WA 98295 Whatcom County
Contact Phone Numbers:	(b) (6) [redacted]
GPS location:	Lat: +48.987503 Long: -122.271000

II. Inspection Information

Inspection Date:	February 2, 2011
Arrival Time:	1:10 pm
Departure Time:	2:45 pm
Weather Conditions:	Sunny and approximately 35°F
Purpose:	Determination of compliance with the Clean Water Act.

III. Permit Information

Mapleville Dairy Inc. is not currently operating under a Washington State Concentrated Animal Feeding Operation (CAFO) NPDES Permit.

IV. Owner and Operator Information

This facility is owned and operated by (b) (6) Dale and John DeVries.

V. Individuals Present

Inspectors affiliated with the U.S. EPA Office of Compliance and Enforcement were Kristin McNeill and Joe Roberto. Also present was Steve Hulbert, an inspector with the Washington State Department of Agriculture (WSDA).

Facility representatives Dale and John DeVries were both present for the inspection. They answered our questions and accompanied us throughout the entire inspection.

VI. Background and Activity

This is a dairy facility that Dale and John DeVries have been operating for approximately 30 years. (b) (6) began operating the dairy in 1961. The operation consists of facilities at two locations: the main dairy (3992 Bowen Rd) and the dry cow facility (3429 Clearbrook Rd). The DeVries have owned the dry cow facility since 1999. The two facilities are not adjacent, but are covered by the same Nutrient Management Plan (NMP).

The bulk of the waste generated at both facilities is in the areas where animals are confined and where feed is stored. This waste includes manure and urine deposited in the confinement areas and wash water from the milking parlor.

Waste handling at the main dairy consists of an underground pit, a solids separator, and an upright above-ground storage tank. Liquid waste is contained in the upright tank, which was designed by the National Resources Conservation Service (NRCS) and has a capacity of 620,000 gallons. The underground pit has a capacity of 26,000 gallons.

The dry cow facility has an underground pit and a lagoon that was designed by NRCS. The pit has a capacity of approximately 30,000 gallons and the lagoon has a capacity of approximately 2 million gallons. The upright tank at the main dairy is connected to this lagoon via underground pipes. Overall, the total waste storage capacity for both facilities is 2.9 million gallons, which is approximately 4.5 months of storage.

The inspection of this dairy is part of EPA Region 10's Concentrated Animal Feeding Operation initiative.

VII. Inspection Entry

This was an unannounced inspection. Joe Roberto, Steve Hulbert, and I arrived at the facility at 1:10 pm on February 2, 2011. At that time, (b) (6) was present, and called (b) (6) John, who arrived with (b) (6) Dale at 1:20 pm. Joe Roberto and I then presented our credentials to Dale and John DeVries and explained the purpose of our visit.

Dale and John DeVries did not deny us access to the facility. We were allowed to inspect all areas that we wished to inspect.

VIII. Inspection Summary

A. Chronology

After gaining access to the facility, we began the inspection with a brief opening conference with Dale and John DeVries, in which I explained the purpose of the inspection. Following the opening conference, I proceeded to interview the DeVries about operations at the facility.

After the interview we proceeded to conduct a walk-through inspection of the main dairy. We walked the perimeter of the dairy operation and inspected the animal confinement pens,

solids separator, feed storage area, the upright storage tank, and areas where dairy operations are in close proximity to the nearest surface water, Johnson Creek, which is adjacent to the dairy property.

Following the walk-through of the main dairy facility, the DeVries agreed to allow us to inspect their dry cow facility. We followed them to the facility and performed an inspection focusing on the waste storage lagoon.

We concluded the inspection with a closing conference with Dale and John DeVries in which we discussed observations and areas of concern identified during the inspection. We left the facility at 2:45 pm on February 2, 2011.

I contacted Dale DeVries on February 17, 2011, to clarify some of the information that I had gathered and to follow up on areas of concern identified during the inspection.

B. Number of Animals

At the time of inspection, the DeVries indicated that they owned 390 milking cows, including 55 – 60 dry cows. The dry cows are housed at the dry cow facility. Additionally, they have 10 – 15 springers at the main dairy. Calves are raised off site.

C. Length of Animal Confinement

According to the DeVries, all of the animals at the main dairy and the dry cow facility are confined in barns throughout the year.

D. Presence of Vegetation in Confinement Areas

At this facility, the barns where animals are fed and maintained had concrete floors. Based on my observation at the time of inspection, the confinement barns were devoid of vegetation.

E. Feed Storage Area

Silage was stored in a concrete bunker and was covered with a tarp. The concrete slab was angled away from a nearby storm drain to avoid runoff of any leachate. Grass and hay were stored in a concrete bunker covered with a roof approximately 10 yards from the storm drain. Although the concrete was not significantly sloped toward the drain, at the time of inspection, there was grass and hay near the drain. According to the DeVries, only roof and concrete slab water flows into the storm drain (photos 1 and 2). John DeVries stated that he thought that the storm drain flowed into a culvert and then into Johnson Creek north of the main dairy. Steve Hulbert (WSDA) agreed to follow up with the DeVries to determine the outfall location and to ensure that feed is not allowed to enter the storm drain.

F. Nutrient Management Plan

The facility has implemented a Nutrient Management Plan (NMP) that was certified by the Whatcom Conservation District on March 13, 2002. Although the NMP is normally kept at the facility (according to Dale DeVries), at the time of inspection, Fred Likkel from N3 Consulting was reviewing the facility's NMP. The waste storage planning section of the NMP was updated by NRCS in 2008.

G. Waste Management Process

At the main dairy, waste is scraped twice daily into the underground pit and then pumped to the solids separator. The separator is the same type that is used in Bedding Recovery Units (BRUs), so after separation, the solids are stored under a roof to be re-used as bedding

material (photo 3). Some of the solids are also exported to local berry farmers. Liquid waste from the separator is routed into the upright storage tank (photo 4). When necessary, the facility can pump waste from the upright tank into the lagoon at the dry cow facility through underground pipes. They normally empty the upright tank 2 times in the winter, and it is empty during summer when land application is occurring. The DeVries pumped down the upright tank approximately 1.5 – 2 weeks ago, so it currently contains about 4 feet of waste. According to Dale DeVries, the tank is 12 – 16 feet tall. The main dairy currently has approximately 6 weeks of storage.

At the dry cow facility, waste is scraped into an underground pit and is then pumped into the lagoon. The dry cow facility does not have a solids separator. The lagoon was last emptied in fall of 2010, and remains empty during summer. Currently, the lagoon is approximately 99% full, with approximately 1 foot of freeboard (photo 5). At the time of inspection, the southern wall of the lagoon was leaking in at least two locations. The DeVries had attempted to reinforce the leaking areas by piling dirt and gravel along the outside of the lagoon wall. The waste was leaking through the dirt and gravel back into the animal confinement area, where it was flowing into the underground pit and being pumped back into the lagoon (photos 6 – 12). The waste did not appear to have the potential to reach surface water. See the Areas of Concern section for more information.

H. Land Application

The DeVries own approximately 200 acres on which they land apply. They lease an additional 85 acres for land application, and also apply to 55 acres at a nearby horse farm 2 – 4 times per year. In total, they have approximately 340 acres available for land application of manure and wastewater. At the dry cow facility, waste is pumped out of the lagoon and land applied using a hose and big gun sprinkler, while at the main dairy, land application is done using a spreader.

I. Facility Record Keeping and Inspections

The DeVries maintain records of land applications, solids exports, and soil testing. They also perform periodic inspections to ensure proper operations and maintenance.

J. Receiving Water

The nearest surface water is Johnson Creek, which borders the west side of the main dairy. Johnson Creek also flows past the dry cow facility, but is approximately 0.25 miles northwest of the facility, across a field.

IX. Areas of Concern

We conducted a walk-through inspection of the facility, including the confinement areas and waste handling system. Observations during the inspection included the identification of several areas of concern. These areas of concern are described as follows:

A. <u>Leaking lagoon</u>

At the dry cow facility, the lagoon was 99% full and was leaking in at least two locations along the southern wall (photos 5 – 12). According to Dale DeVries, at the time of inspection, the lagoon had been leaking for 1 – 1.5 weeks. Although the DeVries had attempted to reinforce the leaking areas by piling dirt and gravel along the outside of the lagoon, the leaks had permeated through the dirt and gravel, and liquid waste was continuing to flow back into the animal confinement area. The waste was eventually

flowing into the underground pit and was being pumped back into the lagoon. Waste from the leaks did not appear to have the potential to reach surface water.

The DeVries suggested that the leaks had originated from rat holes in the top part of the berm. They had pumped waste from their upright tank at the main dairy into the lagoon approximately 0.5 – 1 week before the leaks began. At the time of inspection, the DeVries had not yet contacted anyone at WSDA or the Whatcom Conservation District to notify them about the lagoon leaks. Joe Roberto suggested that they notify the proper agency, and Dale DeVries contacted Bill Bonsen at the Conservation District before we completed the inspection. Bill Bonsen agreed to send someone from the Conservation District the following day to inspect the lagoon and determine the proper course of action.

During my follow up phone call on February 17, 2011, Dale stated that the Conservation District had agreed that they should land apply some of the waste to reduce the volume in the lagoon. Although the weather conditions had not yet met the threshold at which land application may normally resume in Whatcom County, the DeVries were allowed to land apply during a period of dry weather in areas far from surface water. They pumped down 2 – 3 feet of manure which stopped the leaks from the lagoon wall.

B. Potential for discharge

As was discussed in the Feed Storage Area section, there is a storm drain near the feed storage bunkers at the main dairy. Although the drain is near the silage storage area, the concrete is sloped away from the drain to avoid potential runoff of silage leachate. However, the drain is approximately 10 yards from the grass and hay storage bunker, where the concrete is not sloped away from the drain. At the time of inspection, there was grass and hay near the drain (photo 2). According to the DeVries, only roof and concrete slab water flows into the storm drain. John DeVries stated that he thought that the storm drain flowed into a culvert and then into Johnson Creek north of the main dairy. Steve Hulbert (WSDA) agreed to follow up with the DeVries to determine the outfall location and to ensure that feed is not allowed to enter the storm drain.

C. Potential for discharge

At the time of inspection, at the northwest corner of the main dairy, there was evidence that manure had run out of the barn entrance on a previous occasion (photo 13). Manure track out from vehicles was also visible outside the barn entrance. Outside the barn entrance, the ground is slightly sloped toward an adjacent access road and Johnson Creek. Johnson Creek is approximately 25 yards from the barn entrance (photo 14). At the time of inspection, manure did not appear to have crossed the access road or entered Johnson Creek. Although the DeVries did not identify this location as an area of potential discharge, Steve Hulbert suggested that they may want to add a berm to that section of the creek bank to prevent any potential discharges.

Report Completion Date: 2/24/11

Lead Inspector Signature: KAMc

Kristin McNeill
(206) 553-6291

Attachment A: Photograph Documentation

(All photos taken by K. McNeill using a Samsung i85 camera on February 2, 2011)

Photo 1. Silage is stored on the right on a concrete slab covered with a tarp. Grass and hay are stored in the roofed bunker on the left.

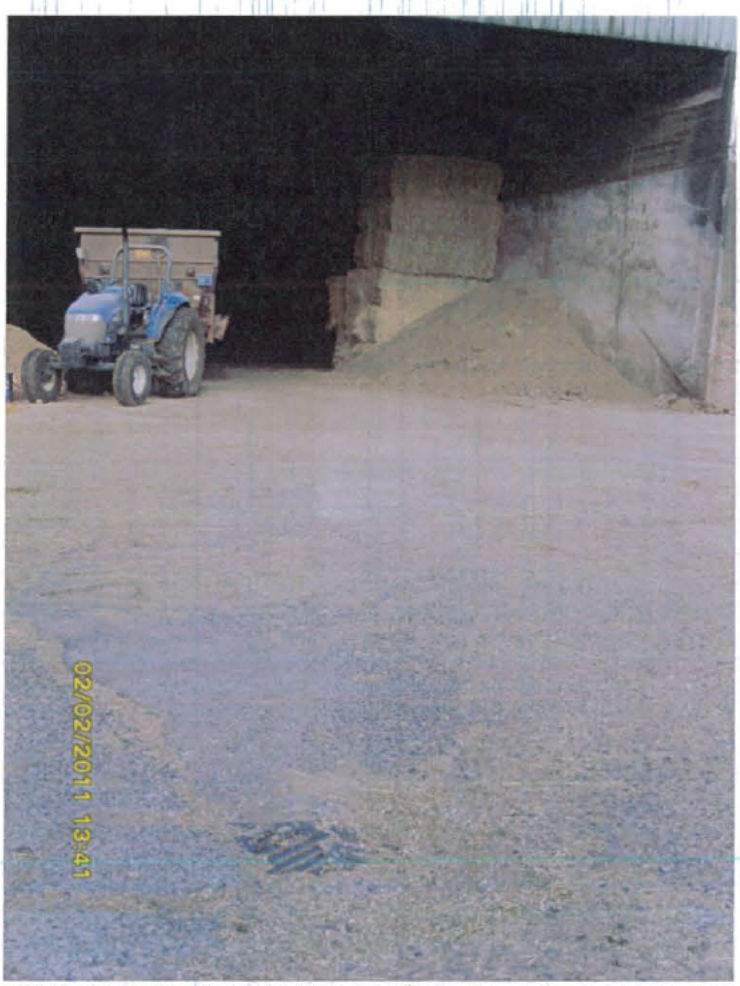


Photo 2. Storm drain approximately 10 yards from the grass and hay storage bunker.

Photo 3. Solids to be re-used as bedding material are stored under a roof.
(This photo has been cropped to focus on the storage area.)

Photo 4. Upright above-ground storage tank at the main dairy.

Photo 5. Lagoon at dry cow facility that was approximately 99% full with approximately 1 foot of freeboard.

Photo 6. Dirt and gravel placed along the lagoon wall to attempt to stop the leaks at the dry cow facility. Red arrows indicate leak locations and yellow arrows indicate flow direction at the time of inspection.

Photo 7. Flow of first lagoon leak (yellow arrow indicates flow direction).

Photo 8. Close up of first lagoon leak in previous photo (red arrow indicates leak location).

Photo 9. Second lagoon leak at dry cow facility (yellow arrow indicates flow direction).

Photo 10. Second leak coming through dirt and gravel (yellow arrow indicates flow direction).

Photo 11. Lagoon at dry cow facility, with inflow pipe.

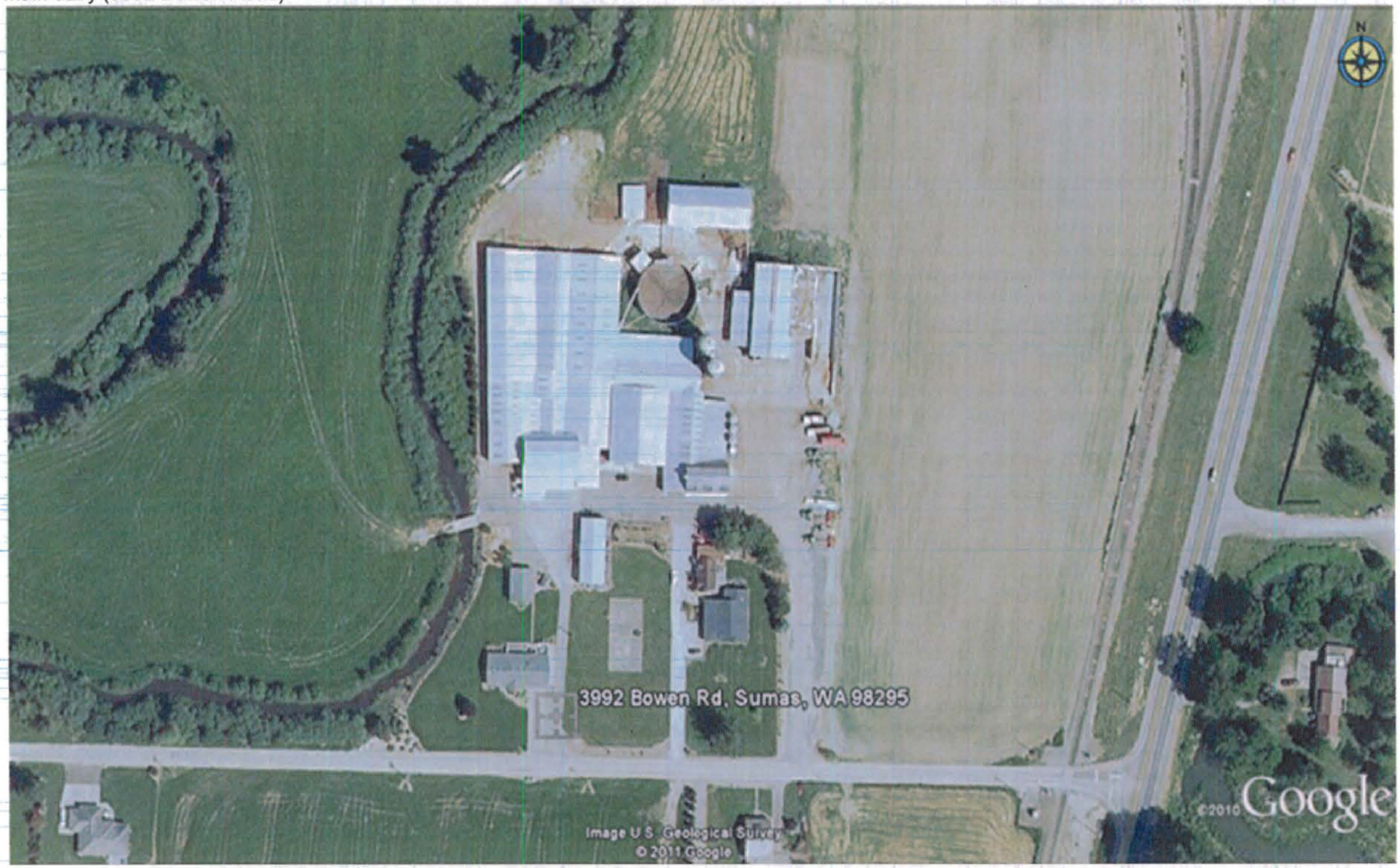
Photo 12. Inflow pipe into lagoon.

Photo 13. East view of entrance on the northwest corner of the barn where manure track out and previous manure flow are evident.

Photo 14. Northwest view from the access road of Johnson Creek, approximately 25 yards from the northwest entrance of the barn.

Attachment B: Aerial photos
(images from Google Earth Pro)

Main dairy (3992 Bowen Road):



Dry cow facility (3429 Clearbrook Road):

ATTACHMENT C:

Washington State Department of Agriculture

Cover Letter and Inspection Report from

March 24, 2009

Routine Inspection

STATE OF WASHINGTON

DEPARTMENT OF AGRICULTURE

P.O. Box 42560 • Olympia, Washington 98504-2560 • (360) 902-1800

April 2, 2009

JOHN AND DALE DEVRIES
MAPLEVILLE DAIRY INC
3992 BOWEN RD
SUMAS, WA 98295-9208

RE: Inspection Activity Outcome

Dear JOHN AND DALE DEVRIES:

On March 24, 2009, Washington State Department of Agriculture (WSDA), Livestock Nutrient Management Inspector Jason Pentzer conducted a Routine Inspection of your nutrient management operations and facilities at MAPLEVILLE DAIRY INC.

During the inspection the following items were noted:

- **Joy Hawley with NRCS updated Waste Storage Planning sheets in Jan. 2008. Thankyou for getting this completed.**
- **Solids stacked off slab at Clearbrook Rd facility (F2),**
- **Small amount of solids that fell of E wall of solids stack at Bown Rd facility has been carried by roofwater to within 50 ft of Johnson Cr.**
- **Modified NE corner of lagoon dike at Clearbrook Rd facility this year.**
- **Excellent records, very complete.**
- **Some silage leachate goes into a dry well instead of to a filter strip or storage.**
- **Producer expressed some uncertainty about accuracy of records for application volumes.**

Follow up activity to be completed by you includes:

- **Contact Whatcom for technical assistance (lagoon dike assessment) of modification to NE corner of lagoon, if the need for repairs is identified, have completed by 9/30/09.**
- **Also seek assistance for collection or filter strip for silage leachate at Clearbrook Rd facility. Land apply solids stockpiled of slab at Clearbrook Rd facility by 5/30/09.**
- **At Bowen Rd facility, contain solids from separator wall a bit better or divert roofwater around, or improve grass in pasture, or all three, just make sure solids don't get moved so close to Johnson Cr, by 9/15/09.**
- **Work on more careful counting of loads tanked on each field this year and get a calibration for other equipment used.**

6951 Hannegan Road, Suite 10, Lynden, WA 98264 Phone: (360) 961-7412 Email: JPentzer@agr.wa.gov

Thank you for your time and for your on-going attention to nutrient management and water quality. If you have concerns or would like to discuss the outcome of your inspection or the activities identified needing follow up, please contact me at (360) 961-7412.

Sincerely,

Jason Pentzer
Livestock Nutrient Management Program

cc: Chris Clark, Whatcom Conservation District

enclosure: technical assistance referral

6951 Hannegan Road, Suite 10, Lynden, WA 98264 Phone: (360) 961-7412 Email: JPentzer@agr.wa.gov

Washington State Department of Agriculture
Livestock Nutrient Management Program
PO Box 42560
Olympia WA 98504-2560
(360) 902-1982

LIVESTOCK NUTRIENT MANAGEMENT PROGRAM INSPECTION REPORT

Facility Name: MAPLE-VILLE DAIRY AG ID No: 8979 Permit ID: _____

Date of Inspection: 3/24/09 Arrival Time: 1400 Permit Status: _____

WSDA Inspector(s): JASON PENTZER

Others: PATRICK HAGGERTY (LNMP INTERN), Fred Likkel, NS

Inspection Type: *(check one)*

☐ Initial (New) ☒ Routine ☐ Follow Up ☐ Technical Assistance
☐ Facility Closure ☐ Permit Cancellation ☐ Investigation

☐ Complaint ERTS# _____ Referred from _____

Property Owner's Name: _____ Phone No: (b) (6) [redacted]

Facility Operator's Name: DALE DEVRIES Mobile No: (b) (6) [redacted]

Facility Address: 3992 BOWEN RD. Email: _____

SUMAS, WA 98295 County: WHATCOM

Mailing Address: " " Drainage/WRIA: JOHNSON CR; SUMAS R. WRIA #1

Weather **Past 24 Hours** ☐ Storm ☐ Freezing ☒ Rain ☐ Showers ☒ Overcast ☐ Clear

Current ☐ Storm ☐ Freezing ☒ Rain ☐ Showers ☐ Overcast ☐ Clear

Explanation of regional environmental concerns: SHELLFISH, SALMON, GROUNDWATER

Approximate distance facility is from waters of the state: 60 ft.

I. Inspection History

	Yes	No	
1) Has WSDA (or Ecology) inspected this farm before?	☒	☐	Date of last inspection 5/29/07
2) Has or is the farm currently under a formal enforcement action?	☐	☒	

II. NMP Information

	Yes	No
1) Does the farm have a livestock nutrient management plan (NMP)?	☒	☐
2) Is the livestock nutrient management plan on site?	☐	☐
3) Is the NMP approved by a conservation district? Date: 5/19/01	☒	☐
4) Is the NMP certified by a conservation district? Date: _____	☒	☐
5) Is the NMP certified by the livestock producer? Date: _____	☒	☐

6) Who developed the NMP? WHATCOM CD

7) Acreage NMP was developed for (b) (6) Current total acreage (b) (6) [redacted]

8) Herd size NMP was developed for Milking (b) (6) A# Dry Cows (b) (6) A# Heifers 20 A# Total (b) (6) A#

Joy Hawley w/ NRCS updated WSP sheet in Jan '08. #'s are from update

III. Detail of Current Animal Inventory

Dairy Livestock	A#	AU	Non-Dairy Livestock	A#	AU
1) Milking Cows	(b) (6) [redacted]		1)		
2) Dry Cows			2)		
3) Heifers (6 mos - fresh)			3)		
4) Calves (0 - 6mos)			4)		
Total animals on site			Total animals on site		

Are there any additional rearing or feeding operations associated with the operation of this facility? ☒ Yes ☐ No

If yes, explain heifers raised off site.

Distribution: *White*—File *Yellow*—Producer

Facility Name: Maple - Ville Dairy Date: 3/24/09

IV. Nutrient and Leachate Collection

		Yes	No
1)	Number of days per year animals are confined? (b) (6) Milking (b) (6) Dry Cows		
2)	Is all the manure in the confinement area contained and directed to storage?	☐	☒
3)	Is milk parlor and milking barn wash down water collected and transferred to storage?	☒	☐
4)	Is roof runoff water diverted away from contaminated areas? most	☒	☐
5)	Is plate cooler water diverted away from contaminated areas?	☒	☐
6)	Is plate cooler water Recycled?	☒	☐
7)	Silage leachate ☒ Collected and transferred to storage ☐ Filter Strip ☐ Ag Bags ☐ Silo ☒ Other Goes today well at Clearbrook Rd facility		
8)	Is any area of the farm acreage frequently flooded?	☐	☒

Comments: Solids stacked on slab in field at Clearbrook Rd Facility (F2)
Small Amount of solids that fell off E wall of solids stack has been carried by ~~roof~~ water to within 50 ft of Johnson Cr.

V. Nutrient Storage

1) What type of nutrient storage is used? ☒ Manure lagoon x1 ☒ Above ground tank ☒ Under ground tank x2 ☒ Dry stack ☐ Manure pit ☐ Covered on slab

Scrape → pit → pump → separator → dry stack / Above ground tanks → underground line to Lagoon

2) Total lagoon storage- capacity/volume 2.8+Mgal Months/Year 4.5mos Current amount of storage utilized 60 %

3) Lagoon Solids Build Up ☒ Light ☐ Medium ☐ Heavy

4) Dike Condition ☐ Good ☒ Fair ☐ Poor → modified NE corner of dike this year (thinner now, added ecology blocks around outlet pipes used to pump manure out of lagoon.

5) Treatments ☐ Solid Separator ☐ Composting ☐ Digester ☐ Other _____

6) Total solids storage - capacity/volume _____ Months/Year _____ Current amount of storage utilized _____ %

7) How do you handle your animal mortalities? ☐ Carcass Burial ☒ Composting ☐ Incineration ☐ Digestion ☐ Landfill ☒ Rendering by licensed rendering plant ☐ Other _____

Comments:
Above ground tanks ≈ 40%
Lagoon ≈ 65%, light solids, dikes recently modified
5.36 ac-ft above wood volume Dikes were also raised in the past but new dimensions already incorporated in NMP update by NRCS in Jan 2009.

VI. Nutrient Application

How are nutrients applied? ☒ Sprinkler (big gun) ☐ Sprinkler (irrigation system) ☒ Dry Spreader ☒ Spreader (honey wagon) ☐ Injector ☐ Other ☒ Custom Applicator

	Yes	No	Years records maintained
1) Is commercial fertilizer utilized in crop production?	☒	☐	3yrs
2) Are nutrient export records maintained?	☒	☐	3yrs
3) Are water quality testing records maintained?	☐	☐	
4) Are nutrient application records maintained?	☒	☐	3yrs
5) Are nutrient testing records maintained?	☒	☐	3yrs
6) Are soil testing records maintained?	☒	☐	3yrs

Number of Fields/Management Units 7 Perennial 5 Annual
Soil Nitrate-N 11 Acceptable 1 Needs Attention
Soil Phosphorus 10 Acceptable 2 Needs Attention

excellent records very complete

Comments: Exported (b) (6) gallons in '08. W/ in NMP in terms of crop ID's acreage, & crop system.
Possible over application on field 1A in 07 followed by tillage in soy planting year, reasonable applications and high nitrates again in 08.
Some uncertainty about application rates. Application rates appear high on grass, but soil nitrates look good.

Facility Name: Marle-Ville Dairy Date: 3/24/09

VII. Current Inspection Outcome

		Yes	No
1)	Does livestock have direct access to surface water?	☐	☒
2)	Is there a release of pollutants to waters of the state?	☐	☒
3)	Is there evidence of a release of pollutants to waters of the state?	☐	☒
4)	Is there an immediate potential for a release of pollutants to waters of the state?	☐	☒
5)	Were any photographs taken?	☐	☒
6)	Were any water samples taken?	☐	☒

7) Is follow up needed?		Yes	No	Follow Up By:
	For facility issues	☒	☐	~~9/30/09~~ 5/30/09
	For record or application issues	☒	☐	
	NMP Update	☐	☒	
	Referred to CD Technical Assistance	☒	☐	

8) Compliance activity? *(Check those that may apply)*
☐ WARNING ☐ NOV ☐ ORDER ☐ PENALTY ☐ PERMIT ☐ NONE

Comments: Follow-up:

(1) Work on more careful counting of loads ~~tanked~~ on each field this year and get a calibration for other equipment used.

(2) Land Apply solids stockpiled at Clearbrook Rd facility by 5/30/09

(3) Contact Whatcom CD for technical assistance (lagoon dike assessment) of modifications to NE corner of lagoon by ~~5/30/09~~. 9/30/09.

(4) ~~DA~~ also seek assistance for collection of filter strip for ~~silage~~ leachate at Clearbrook Rd.

Contain solids from separator well a bit better or divert rainwater around, or improve grass in pasture, or all three until solids don't get moved so close to Johnson Cr. by 9/15/09.

Thank you for getting NMP update (WSP sheets)!

Are Additional Comments Attached ☐ Yes ☒ No Thanks for your time today.

Please send requested information to Livestock Nutrient Management Program, WSDA

☐ Southwest Region 2nd Floor Natural Resources Building, 1111 Washington Street SE, Olympia, WA 98504 (360) 902-1928 FAX (360) 902-2000	☒ Northwestern Region 6951 Hannegan Road, Suite 10 Lynden, WA 98264 (360) 961-7412 FAX (360) 354-7421
☐ Eastern Region PO Box 698 Ephrata, WA 98823 (509) 969-7140 FAX (509) 754-6019	☐ Puget Sound Region 1914 N. 34th ST, Suite 107 Seattle WA. 98103 (360) 202-3257 FAX (206) 632-7576

Producer approves to have copy of report sent to Conservation District / Consultant ☒ Yes ☐ No

Jason Simpson 3/24/09
WSDA Inspector Signature Date

Facility Contact Signature 3/24/09
Acknowledging Receipt Date

Departure Time: 1620

ATTACHMENT D:

Washington State Department of Agriculture

Cover Letter and Inspection Report from

September 1, 2009

Follow Up Inspection

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
P.O. Box 42560 • Olympia, Washington 98504-2560 • (360) 902-1800

October 12, 2009

JOHN AND DALE DEVRIES
MAPLEVILLE DAIRY INC
3992 BOWEN RD
SUMAS, WA 98295-9208

RE: Inspection Activity Outcome

Dear JOHN AND DALE DEVRIES:

On September 1, 2009, Washington State Department of Agriculture (WSDA), Dairy Nutrient Management Inspector Jason Pentzer conducted a Follow-up Inspection of your nutrient management operations and facilities at MAPLEVILLE DAIRY INC.

During the inspection the following items were noted:

- **Filter strip behind solids separator has dead spots and annual weeds.**
- **Some gravel has been dug out from the silage leachate box at Clearbrook Rd and a trench made to direct leachate to a grass field (filter strip).**
- **Dale DeVries said that Bill Bonsen of NRCS looked at NE corner of lagoon dike and recommended adding one more row of ecology blocks and backfilling.**
- **We discussed the status of bridges on the farm used to transport manure. John DeVries told me that the bridge N of the Clearbrook Rd facility has been replaced with a stronger concrete structure, and that the dairy is not taking heavy equipment across the bridge at Bowen Rd similar to the one that collapsed in 2008 anymore.**

Follow up activity to be completed by you includes:

- **Follow through on plans to reseed filter strip behind separator by 10/15/09.**
- **Watch silage system this fall. You may need to fill in a couple of low spots with non-gravel fill so that leachate actually makes it out to the filter strip.**
- **Thank you for contacting the NRCS to have your lagoon dike assessed. Please get a copy of the NRCS recommendations on farm when possible. Follow through with any needed repairs before the storage season begins, by 10/31/09.**

6951 Hannegan Road, Suite 10, Lynden, WA 98264 Phone: (360) 961-7412 Email: JPentzer@agr.wa.gov

Thank you for your time and for your on-going attention to nutrient management and water quality. If you have concerns or would like to discuss the outcome of your inspection or the activities identified needing follow up, please contact me at (360) 961-7412.

Sincerely,

Jason Pentzer
Dairy Nutrient Management Program

cc: Chris Clark, Whatcom Conservation District
Enc: Copy of NMP certification pg

6951 Hannegan Road, Suite 10, Lynden, WA 98264 Phone: (360) 961-7412 Email: JPentzer@agr.wa.gov

Washington State Department of Agriculture
Livestock Nutrient Management Program
PO Box 42560
Olympia WA 98504-2560
(360) 902-1982

LIVESTOCK NUTRIENT MANAGEMENT PROGRAM INSPECTION REPORT

Facility Name: Maple-Ville Dairy AG ID No: 8979 Permit ID: _____

Date of Inspection: 9/01/09 Arrival Time: 13:05 Permit Status: _____

WSDA Inspector(s): Jason Pantzer

Others: _____

Inspection Type: *(check one)*

☐ Initial (New) ☐ Routine ☒ Follow Up ☐ Technical Assistance
☐ Facility Closure ☐ Permit Cancellation ☐ Investigation

☐ Complaint ERTS# _____ Referred from _____

Property Owner's Name: _____ Phone No: (b) (6)

Facility Operator's Name: John + Dale De Vries Mobile No: (b) (6)

Facility Address: 3992 Bowen Rd Email: _____

Sumas, WA 98295 County: Whatcom

Mailing Address: " " Drainage/WRIA: Johnson Cr/
Sumas R; WRIA #1

Weather **Past 24 Hours** ☐ Storm ☐ Freezing ☐ Rain ☐ Showers ☒ Overcast ☐ Clear

Current ☐ Storm ☐ Freezing ☐ Rain ☐ Showers ☐ Overcast ☒ Clear

Explanation of regional environmental concerns: Salmon, groundwater

Approximate distance facility is from waters of the state: 600 ft

		Yes	No	
I. Inspection History				
1)	Has WSDA (or Ecology) inspected this farm before?	☒	☐	Date of last inspection 3/24/09
2)	Has or is the farm currently under a formal enforcement action?	☐	☒	

			Yes	No
II. NMP Information				
1)	Does the farm have a livestock nutrient management plan (NMP)?		☒	☐
2)	Is the livestock nutrient management plan on site?		☐	☐
3)	Is the NMP approved by a conservation district?	Date: 5/19/01	☒	☐
4)	Is the NMP certified by a conservation district?	Date: 3/13/02	☒	☐
5)	Is the NMP certified by the livestock producer?	Date: 2/22/02	☒	☐

6) Who developed the NMP? Whatcom CD

7) Acreage NMP was developed for _____ Current total acreage _____

8) Herd size NMP was developed for Milking _____ A# Dry Cows _____ A# Heifers _____ A# Total _____ A#

III. Detail of Current Animal Inventory

Dairy Livestock	A#	AU	Non-Dairy Livestock	A#	AU
1) Milking Cows			1)		
2) Dry Cows			2)		
3) Heifers (6 mos - fresh)			3)		
4) Calves (0 - 6mos)			Feed up -		
Total animals on site			Total animals on site		

Are there any additional rearing or feeding operations associated with the operation of this facility? ☐ Yes ☐ No

If yes, explain _____

Facility Name: Maple-Ville Dairy **Date:** 9/01/09

IV. Nutrient and Leachate Collection

		Yes	No
1)	Number of days per year animals are confined? _____ Milking _____ Dry Cows		
2)	Is all the manure in the confinement area contained and directed to storage?	☐	☐
3)	Is milk parlor and milking barn wash down water collected and transferred to storage?	☐	☐
4)	Is roof runoff water diverted away from contaminated areas?	☐	☐
5)	Is plate cooler water diverted away from contaminated areas?	☐	☐
6)	Is plate cooler water Recycled?	☐	☐
7)	Silage leachate ☐ Collected and transferred to storage ☐ Filter Strip ☐ Ag Bags ☐ Silo ☐ Other _____		
8)	Is any area of the farm acreage frequently flooded?	☐	☐

Comments: Follow up

V. Nutrient Storage

1) What type of nutrient storage is used? ☐ Manure lagoon ☐ Above ground tank ☐ Under ground tank ☐ Dry stack ☐ Manure pit ☐ Covered on slab

2) Total lagoon storage- capacity/volume _____ Months/Year _____ Current amount of storage utilized 10 %

3) Lagoon Solids Build Up ☒ Light ☐ Medium ☐ Heavy

4) Dike Condition ☐ Good ☒ Fair ☐ Poor

5) Treatments ☐ Solid Separator ☐ Composting ☐ Digester ☐ Other _____

6) Total solids storage - capacity/volume _____ Months/Year _____ Current amount of storage utilized _____ %

7) How do you handle your animal mortalities? ☐ Carcass Burial ☐ Composting ☐ Incineration ☐ Digestion ☐ Landfill ☐ Rendering by licensed rendering plant ☐ Other _____

Comments: Upright tank empty Well pumped down for winter. Thanks
lagoon nearly empty too ≈ 10%

VI. Nutrient Application

How are nutrients applied? ☐ Sprinkler (big gun) ☐ Sprinkler (irrigation system) ☐ Dry Spreader ☐ Spreader (honey wagon) ☐ Injector ☐ Other ☐ Custom Applicator

	Yes	No	Years records maintained
1) Is commercial fertilizer utilized in crop production?	☐	☐	
2) Are nutrient export records maintained?	☐	☐	
3) Are water quality testing records maintained?	☐	☐	
4) Are nutrient application records maintained?	☐	☐	
5) Are nutrient testing records maintained?	☐	☐	
6) Are soil testing records maintained?	☐	☐	

Number of Fields/Management Units _____ Perennial _____ Annual

Soil Nitrate-N _____ Acceptable _____ Needs Attention

Soil Phosphorus _____ Acceptable _____ Needs Attention

Comments: Follow up

Facility Name: Maple Ville Dairy **Date:** 09/01/09

VII. Current Inspection Outcome

		Yes	No
1)	Does livestock have direct access to surface water?	☐	☒
2)	Is there a release of pollutants to waters of the state?	☐	☒
3)	Is there evidence of a release of pollutants to waters of the state?	☐	☒
4)	Is there an immediate potential for a release of pollutants to waters of the state?	☐	☒
5)	Were any photographs taken?	☐	☒
6)	Were any water samples taken?	☐	☒

			Yes	No	Follow Up By:
7)	Is follow up needed?	For facility issues	☒	☐	9/30/09 + 10/15/09
		For record or application issues	☐	☒	
		NMP Update	☐	☒	
		Referred to CD Technical Assistance	☐	☒	

8) Compliance activity? *(Check those that may apply)*
☒ WARNING ☐ NOV ☐ ORDER ☐ PENALTY ☐ PERMIT ☒ NONE

Comments: Sods Stockpile, Status of Lagoon, Silage System at Clearbrook Rd, Filter Strip behind new separator, bridge assessment

Sods Stockpile has been land applied. Thankyou!

Filter Strip behind Separator – dead spots of annual weeds today.
Follow-up: Plans to reseed into perennial grass by 10/15/09.

Silage System at Clearbrook – dug out some gravel + trenched out to grass field (filter strip).
Follow-up: Watch this field & may need to fill in a couple low spots w/ non-gravel fill so leachate actually makes it out to filter strip.

NE Corner of Clearbrook Rd Lake – Bill Bowen, NRCS came out to take a look & recommended adding one more row ECY blocks + backfill. ~~Just came out recently~~ & Dairy doesn't have recommendations in writing yet. No change in lake itself. Do plan to follow recommendations.
Follow-up: Get NRCS recommendations on farm by 9/30/09 + Follow through on any needed repairs.

Are Additional Comments Attached ☐ Yes ☒ No

Please send requested information to Livestock Nutrient Management Program, WSDA

☐ Southwest Region 2nd Floor Natural Resources Building, 1111 Washington Street SE, Olympia, WA 98504 (360) 902-1928 FAX (360) 902-2000	☒ Northwestern Region 6951 Hannegan Road, Suite 10 Lynden, WA 98264 (360) 961-7412 FAX (360) 354-7421
☐ Eastern Region PO Box 698 Ephrata, WA 98823 (509) 969-7140 FAX (509) 754-6019	☐ Puget Sound Region 1914 N. 34th ST, Suite 107 Seattle WA. 98103 (360) 202-3257 FAX (206) 632-7576

Also discussed bridge status: Bridge at Clearbrook facility replaced w/ stronger Concrete Structure not using bridge at Bowen that Smolen to one that broke in past for heavy equip. anymore

Producer approves to have copy of report sent to Conservation District / Consultant ☒ Yes ☐ No

WSDA Inspector Signature Date 09/01/09

Facility Contact Signature Acknowledging Receipt Date

Departure Time: 14:01

ATTACHMENT E:

Mapleville Dairy

Resource Management Plan Map from

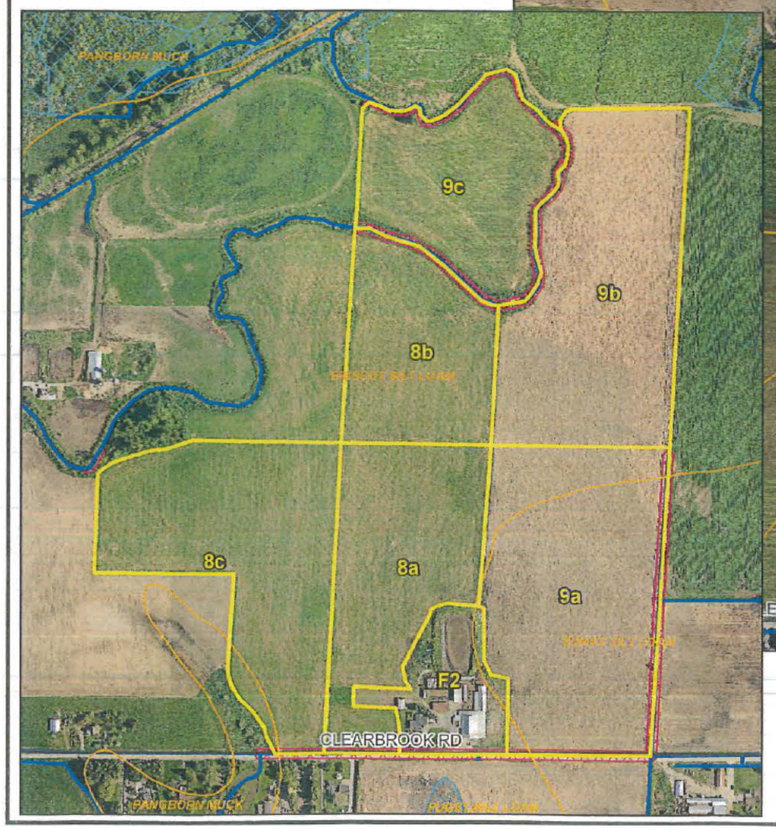
Natural Resources Conservation Service (NRCS)

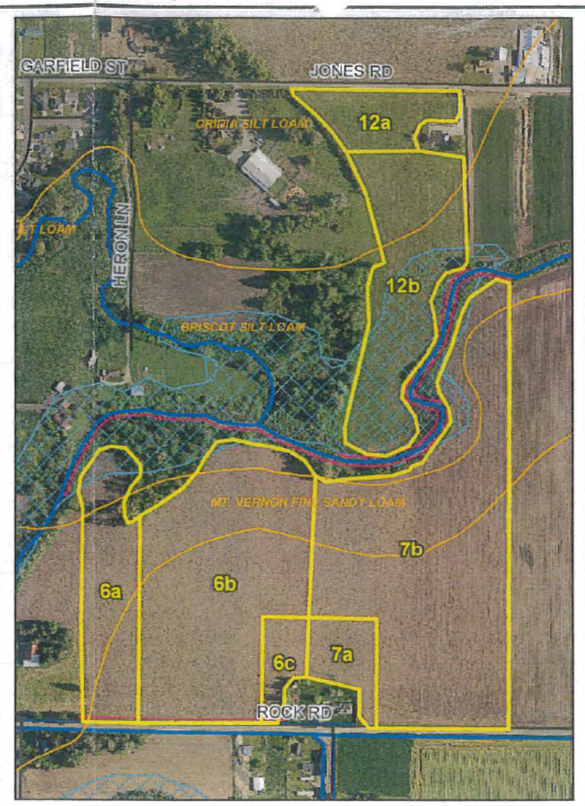
and Whatcom Conservation District

March 2009 update

Mapleville Dairy Resource Management Plan Map

- Fields
- **Buffers (20ft.)**
- Filter Strip (393)
- Riparian Forest Buffer (391)
- Soils
- Roads
- Rivers & Streams
- Wetlands (Forested & Non-forested)





FIELD	TRACT	CROP	ACRES	FIELD_NAME
F1	1675	Farmstead 1	6.6	Farmstead 1/Milking Facility
F2	4135	Farmstead 2	5.4	Farmstead 2/Repl. Facility
1a	1675	Harvested Grass	11.1	Home-by barn
1b	1675	Harvested Grass	4.9	Home-by barn
2a	4312	Grass	5.4	Panasept
2b	1677	Grass	12.8	Mapleville Dairy
3a	1675	Grass	24.9	Home-across road
3b	1675	Grass	6.0	Home-across road
5a	1655	Harvested Grass	20.2	Hill Road
5b	1655	Corn	15.8	Hill Road
6a	2855	Corn	5.8	Visser/Hesselgrave-westpart
6b	1676	Corn	15.2	Visser/Hesselgrave-westpart
6c	4753	Corn	1.4	Visser/Hesselgrave-westpart
7a	4753	Silage Corn	2.0	Visser-east part
7b	1676	Silage Corn	21.1	Visser-east part
8a	4135	Harvested Grass	13.5	Groen-west part
8b	4134	Harvested Grass	10.6	Groen-west part
8c	1775	Harvested Grass	18.1	Groen-west part
9a	4135	Silage Corn	20.3	Groen-east part
9b	4134	Silage Corn	20.1	Groen-east part
9c	4134	Grass	12.4	Groen-east part
10	4798	Grass	19.7	Jager E
11	4798	Grass	7.9	Jager W
12a	3603	Corn	2.8	Hendrick N
12b	2523	Corn	8.9	Hendrick S
		Total	293.0	

1:7,200

600 300 0 600 1,200 Feet

N

Cartographer: Andrew Phay

Whatcom Conservation District

March 2009

United States Department of Agriculture
NRCS Natural Resources Conservation Service